

EATON ELECTRIC, INC.

CONTRACT NO. V630C-415

VABCA-5605-5607,
6122 & 6619-6625

VA MEDICAL CENTER
NEW YORK, NEW YORK

Peter L. Agovino, Esq., Agovino & Asselta, LLP., Mineola, New York, for the Appellant.

Millicent Gompertz, Esq., Trial Attorney; *Charlma J. Quarles, Esq.*, Deputy Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

ORDER ENTERING JUDGMENT

1. On October 28, 2002, the Department of Veterans Affairs and Appellant filed a JOINT MOTION FOR JUDGMENT ON SETTLEMENT AGREEMENT. The motion encloses a SETTLEMENT AGREEMENT negotiated during an ADR conducted August 27-28 and finally executed on October 15, 2002, concerning VABCA-5605-5607, 6122 and 6619-6625.
2. The parties recite that they have "amicably resolved" the issues which are the subject of VABCA-5605-5607, 6122 and 6619-6625 and jointly move that the Board enter Judgment in the amount of "\$500,000 in full settlement of all costs claimed under the Contract, which includes all costs, fees, and expenses (including all interest and attorney's fees), associated with this Contract No. V630-415. The termination for default will be converted to a no-cost termination for convenience."
3. Inasmuch as the parties have stipulated the equitable adjustments due Eaton Electric, Inc. in VABCA-5605-5607, 6122 and 6619-6625, their JOINT MOTION FOR JUDGMENT ON SETTLEMENT AGREEMENT is GRANTED. Appellant is found entitled to \$500,000 pursuant to the terms and conditions of the SETTLEMENT AGREEMENT entered into by the parties.

IT IS SO ORDERED

DATE: **October 29, 2002**

WILLIAM E. THOMAS
Administrative Judge